

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

STATE OF TEXAS, ET AL.

Plaintiffs,

v.

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES, ET AL.

Defendants

Case No. 2:24-CV-00089-Z

**MOTION OF BRADY CENTER TO PREVENT GUN VIOLENCE, MARCH FOR OUR LIVES,
GIFFORDS LAW CENTER TO PREVENT GUN VIOLENCE, AND EVERYTOWN FOR GUN
SAFETY FOR LEAVE TO FILE A BRIEF AS AMICI CURIAE IN SUPPORT OF
DEFENDANTS AND IN OPPOSITION TO PLAINTIFFS' MOTION FOR TEMPORARY
RESTRAINING ORDER/PRELIMINARY INJUNCTION**

Brady Center to Prevent Gun Violence, March for Our Lives, Giffords Law Center to Prevent Gun Violence, and Everytown for Gun Safety respectfully move this Court for leave to file the attached brief as amici curiae in support of Defendants and in opposition to Plaintiffs' motion for stay/preliminary injunction. For the reasons described below, the proposed brief contains relevant material that may aid the Court in resolving the issues raised by Plaintiffs' motion. Counsel for the parties have been consulted regarding this motion; defendants' counsel has consented to the filing of the attached brief while plaintiffs' counsel has not provided consent.

Amici are among the nation's foremost authorities on law and policy relating to the prevention and reduction of gun violence. The Brady Center to Prevent Gun Violence ("Brady") is the nation's longest-standing non-partisan, non-profit organization dedicated to reducing gun violence through education, research, legal advocacy, and political action. Brady has filed numerous amicus briefs in cases involving the constitutionality of firearms regulations, and courts have cited Brady's research and expertise. March For Our Lives ("MFOL") is a youth-led non-profit organization dedicated to promoting

1 civic engagement, education, and direct action by youth to achieve sensible gun violence prevention
2 policies that will save lives. MFOLE has filed numerous amicus briefs in cases involving firearm
3 regulations. Giffords Law Center to Prevent Gun Violence (“Giffords Law Center”) is a survivor-led non-
4 profit policy organization serving lawmakers, advocates, legal professionals, gun violence survivors, and
5 others who seek to reduce gun violence and improve the safety of their communities. Giffords Law Center
6 has contributed technical expertise and informed analysis as an *amicus* in numerous cases involving
7 firearm regulations and constitutional principles affecting gun policy. Everytown for Gun Safety Support
8 Fund is the education, research, and litigation arm of Everytown for Gun Safety (“Everytown”), the largest
9 gun violence prevention organization in the country. Everytown has extensive experience litigating cases
10 involving the interpretation of federal firearms laws and has submitted numerous amicus briefs in cases
11 involving challenges to federal firearms laws and regulations.

12 This case involves challenges to a regulation that determines the circumstances under
13 which those who sell firearms must obtain a Federal Firearms License and comply with certain
14 recordkeeping obligations, permit inspections and oversight by ATF, and assume a duty to conduct
15 background checks of prospective buyers. Amici have extensive experience in studying how federal
16 firearms regulations such as the one at issue in this case affect public safety. Amici are submitting this
17 brief to give the Court the benefit of their experience and expertise, and to provide information not brought
18 to the Court’s attention by the parties to this case.

19 CONCLUSION

20 Amici curiae request that the Court grant amici curiae leave to file the attached brief in
21 support of defendants and in opposition to plaintiffs’ motion for a temporary restraining order and/or
22 preliminary injunction.

23
24 Dated: May 14, 2024

25
26 Respectfully submitted,

27 /s/ John Graubert
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**Admission Pro Hac Vice Pending
Counsel for Brady Center to
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Our Lives, Giffords Law Center to
Prevent Gun Violence, and
Everytown for Gun Safety*

CERTIFICATE OF CONFERENCE (Local Rule 7.1)

Counsel for movant conferred via email with counsel for plaintiffs. Counsel for plaintiffs did not provide consent to this motion for permission to file the attached brief as amici curiae.

Counsel for movant also conferred via email with counsel for defendants, who confirmed that defendants do not oppose this motion for permission to file the attached brief as amici curiae.

Dated: May 14, 2024

/s/ John Graubert

John Graubert

CERTIFICATE OF SERVICE

I hereby certify that, on May 14, 2024, I caused the foregoing document to be filed with the Clerk of the Court of the United States District Court for the Northern District of Texas using the Court's CM/ECF system.

/s/ John Graubert

John Graubert